IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	NO. 1:07-CR-224
	§	
GASTON CHARLES, JR.	§	

FINDINGS OF FACT AND RECOMMENDATION ON GUILTY PLEA
BEFORE UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636(b), this matter was referred to the undersigned

United States magistrate judge to receive defendant's guilty plea.

On January 30, 2008, defendant, defendant's counsel, and the government

came before the undersigned for guilty plea and allocution on Count I of the Indict-

ment filed, charging a violation of Title 18, United States Code, Section 1791(a)(2).

After conducting the proceedings in the form and manner prescribed by Rule 11 of

the Federal Rules of Criminal Procedure, the undersigned finds:

(1)   Defendant, after consultation with his counsel, knowingly and volun-

tarily consents to pleading guilty before a United States magistrate judge,

subject to final approval and imposition of sentence by the district judge to

whom this case is assigned.

(2)   At the hearing defendant was advised of his right to a jury trial. Defen-

dant was also advised of the charge against him and the possible punishment.
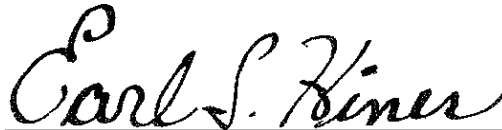
In open court, defendant thereafter waived his right to a jury trial.

(3)   Defendant is fully competent and capable of entering an informed plea,

is aware of the nature of the charges and the consequences of the plea, and the

plea of guilty is a knowing and voluntary plea supported by an independent

basis in fact containing each of the essential elements of the offense.

RECOMMENDATION

Defendant's guilty plea should be accepted, and defendant should be adjudged

guilty of the offense to which he has pleaded guilty.[1]

SIGNED this ___1___ day of February, 2008.

Earl S. Hines

Earl S. Hines
United States Magistrate Judge

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[1]   Parties normally have ten days to object to recommendations submitted by a United States magistrate judge. <u>See</u> 28 U.S.C. § 636. However, as this recommendation is agreed, the court need not wait ten days before adopting the recommendation.